

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. OSCAR DE GUZMAN Y ENRIQUEZ, ACCUSED-APPELLANT.*G.R. No. 76742. August 07, 1990*

Ponente: CRUZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-76742/>**CRUZ, J.:**

This is still another case involving the violation of the Dangerous Drugs Act, specifically Article II, Section 4, thereof punishing the sale inter alia of prohibited narcotics. The herein accused-appellant has been convicted of the offense and sentenced to life imprisonment plus payment of a P20,000.00 fine and the costs.[1] He maintains before this Court that he is innocent.

The case hinges on the question of credibility. The parties allege conflicting versions of the facts, which the Court is asked to evaluate. In doing so, we bear in mind first the constitutional presumption of innocence to which every person accused of a crime is entitled. We also remember that such presumption is not conclusive but can be overcome by the prosecution with proof of guilt beyond reasonable doubt.

We note at the outset the Solicitor General's argument that this appeal should be dismissed for failure of the accused-appellant to submit a brief in conformity with Rule 46, Section 16, of the Rules of Court in relation to Rule 124, Section 7, and Rule 125, Section 1.[2] The Court wryly observes that the People's brief, like the memorandum of the accused-appellant, does not comply with the cited Rules especially as to the form of the prescribed pleading. That discrepancy, to use a colloquialism, "makes them even."

Now to the merits.

According to the prosecution, Pat. Generoso Ramos was, on July 17, 1984, at about six-thirty o'clock in the evening, passing by the Boron Canteen, at the corner of Maharlika and Bonifacio Streets in San Jose City, when he smelled the familiar scent of marijuana being smoked. Out of the canteen came Carlito Corpus and Mario Dionisio, who was puffing on a cigarette. Ramos approached them and after introducing himself as a member of the Narcotics Command proceeded to frisk them. He found three sticks of marijuana in Dionisio's wallet and confiscated them. He then took the two men to police headquarters for investigation, and there Dionisio pointed to Oscar de Guzman as the person from whom he had purchased the marijuana.

Phase 2 of this version is the entrapment. Ramos asked Dionisio to buy more marijuana from De Guzman, giving him two ten-peso bills marked with the initials of Ramos and Cpl. Rufo Salvador. The latter and Pat. Rolando Salonga went with Ramos and Dionisio to De Guzman's house and stationed themselves unobtrusively as Dionisio knocked on the door. De Guzman opened the door. Dionisio said he wanted to buy two sticks of marijuana. De Guzman said, "Tapatan mo na lang, pare," and Dionisio handed him the marked bills. De Guzman then excused himself and after a while returned with the marijuana wrapped in a piece of paper.

Ramos had earlier concealed himself behind a fence some ten meters away but had come nearer when De Guzman left to get the marijuana. He was hiding behind a post about two meters from Dionisio when the latter received the

marijuana from De Guzman. Now Ramos revealed himself and announced he was a narcotics agent, to De Guzman's consternation. He searched both Dionisio and De Guzman, confiscating the marijuana from the former and the marked ten-peso bills from the latter. Both Dionisio and De Guzman were taken to police headquarters for interrogation. The marijuana was turned over to the PC Crime Laboratory for examination and analysis.

Dionisio and Rufo Salvador, in their respective testimonies, made substantially the same narration. Tita B. Advincula, a forensic chemist at the PC Crime Laboratory, testified that the leaves submitted by Ramos were subjected to microscopic, chemical and chromatography examinations and found to be marijuana.

The defense had, as might be expected, an entirely different story. The accused-appellant testified on his behalf and claimed he was taking his supper in the evening in question when Ramos barged into his house and immediately started searching it. Finding nothing, Ramos then handcuffed him and took him to the police station, refusing to tell him what he was supposed to have done. Later in the jail, De Guzman confronted Dionisio and asked him why he had implicated the accused-appellant, and Dionisio apologized, saying, "Pasensiya ka na, napag-utusan lang ako." This particular assertion was corroborated by Eusebio Casita, Jr., a detainee in the same jail, who claimed he heard the conversation between Dionisio and De Guzman.

The other witness for the defense was Roda Paulino, De Guzman's 14-year old sister-in-law, who supported the accused-appellant's version of his arrest inside the house. She said she remonstrated with Ramos for arresting De Guzman and even followed De Guzman some distance when Ramos and the other policemen were taking him away. On cross-examination, she testified that De Guzman had been unemployed since 1984. She also said her father and mother did not go to the police station that night or even the following day to see what had happened to their son-in-law.

In the resolution of the factual issues, the Court relies heavily on the trial court for its evaluation of the witnesses and their credibility. Having the opportunity to observe them on the stand, the trial judge is able to detect that sometimes thin line between fact and prevarication that will determine the guilt or innocence of the accused. That line may not be discernible from a mere reading of the impersonal record by the reviewing court. The record will not reveal those tell-tale signs that will affirm the truth or expose the contrivance, like the angry flush of an insisted assertion or the sudden pallor of a discovered lie or the tremulous mutter of a reluctant answer or the forthright tone of a ready reply. The record will not show if the eyes have darted in evasion or looked down in confession or gazed steadily with a serenity that has nothing to distort or conceal. The record will not show if tears were shed in anger, or in shame, or in remembered pain, or in feigned innocence. Only the judge trying the case can see all these and on the basis of his observations arrive at an informed and reasoned verdict.

The trial judge has made his assessment, and we see no reason to disbelieve him. The Court agrees with him that the guilt of the accused-appellant has been proved beyond the shadow of a doubt. For all its faults, especially its tedious length and atrocious grammar, the decision convicting De Guzman must be sustained.

The inconsistencies pointed out by the defense in the testimonies of the prosecution witnesses do not detract from their essential veracity. The truth need not be narrated with perfect symmetry. Several persons remembering the same incident may vary in their recollections of some of the details but these differences do not necessarily make liars of them all. What is important is, that they agree on the essential facts and that their respective versions corroborate and substantially coincide with each other to make a consistent and coherent whole.

On the other hand, it is difficult to accept the defense posture that Ramos suddenly forced himself into De Guzman's house and started searching it, for no known reason at all. The search having proved fruitless, Ramos nevertheless arrested and handcuffed De Guzman and took him away despite his protests. Later, meeting Dionisio in the detention place, De Guzman was less than indignant and calmly asked why Dionisio had done this to him,

whereupon Dionisio gave the lame apology, which the accused-appellant benignly accepted. An innocent man would have been infuriated by the trumped-up charge (if indeed it was) and, not unlikely, bitter and unforgiving too. But De Guzman appears to have taken the whole thing in stride instead of protesting his injured innocence.

The defense also argues that De Guzman should have been asked to initial the marked money and that this should also have been turned over to the prosecution as an exhibit. There is no requirement, nor is it even standard procedure, for the law enforcement authorities to have the suspect identify the money allegedly taken from him, assuming he would agree to do so. Ramos also explained that he had kept the money because it was his own although, he said, he had taken care to photocopy the two bills and also note down their serial numbers.

What we see here is a man without any known or visible means of support who was caught red-handed while selling marijuana in violation of the Dangerous Drugs Act. Prosecuted for the crime, he insisted he was not at fault and claimed the authorities had framed him although he cannot explain why. He has not shown Ramos had an ax to grind against him or indeed that they had known each other earlier. There was no proof of enmity between them. There was no reason at all for the police officers to just pluck him out of his house and charge him with an offense punished with no less than the severest penalty allowable under the Constitution. No reason at all, of course, except his guilt.

While assiduous in the protection of the rights of the accused, this Court is equally determined to cooperate with the law-enforcement authorities in their campaign against drug addiction, which has become an international problem and tainted even our own country. Countless numbers of our people, especially the young, have been victimized by the "pushers" of prohibited drugs that have blighted the future and sometimes even claimed the lives of promising young men and women who could have made something of themselves and become worthy members of society. It is not yet too late to save the others. That is why the campaign must be pursued with vigor and determination, to the end that the evil merchants of misery and death, who prey upon the people for sordid gain, may be apprehended and punished with the full force of the law.

It goes without saying that that campaign must be waged, always and without exception, with due deference to justice. We are satisfied in the case at bar that justice has been done to the accused-appellant.

WHEREFORE, the challenged decision is AFFIRMED in toto and the appeal is DISMISSED, with costs against the accused-appellant.

SO ORDERED.

Narvasa, (Chairman), Gancayco, Griño-Aquino, and Medialdea, JJ., concur.

[1] Rollo, p. 31; Decided by Judge Juan C. Limin.

[2] Ibid., p. 60.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.